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The National Forest Reservation Commission

A Report on Progress
In Establishing National Forests

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Published on the Occasion of the
50th Anniversary of the Weeks Law
1961

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PREFACE

The National Forest Reservation Commission came into being on March 1, 1911, when President William Howard Taft approved an Act of Congress known as the Weeks law. This law, which bears the name of its sponsor, former Congressman John W. Weeks, has proved to be an important milestone in American conservation. One of its several provisions makes possible the purchase of land for National Forests subject to the approval of the Commission.

By the terms of the law, the National Forest Reservation Commission includes two United States Senators, two members of the House of Representatives, and three designated Cabinet officers. That this Commission has been an effective one is attested by the fact that its activities have added over 20 million acres of land to the National Forest system of the United States.

In response to a resolution of the National Forest Reservation Commission this report has been prepared by the Forest Service of the United States Department of Agriculture, the agency responsible for administering the National Forests. It describes the origin and evolution of the Weeks law, discusses its principal provisions and accomplishments, and summarizes the activities of the National Forest Reservation Commission. It is a Golden Anniversary report for a significant legislative measure on conservation.

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THE NATIONAL FOREST RESERVATION COMMISSION

Cabinet Members:	
Elvis J. Stahr, Jr	Secretary of the Army
Stewart L. Udall	Secretary of the Interior
Orville L. Freeman	Secretary of Agriculture
Senators:	
John C. Stennis	DeKalb, Mississippi
Francis Case	Custer, South Dakota
Representatives:	
William M. Colmer	Pascagoula, Mississippi
Jack Westland	Everett, Washington

A. G. Lindh, Secretary to the Commission

CONTENTS

	Page
Preface	1
Forestry evolves in the United States	ii
A proposal becomes a law	2
Principal provisions of the law	3
Better forest practice—the intent	4
The National Forest Reservation Commission	6
The Weeks law and the National Forests	7
Unusual features are found on the Weeks law National Forests	10
The National Forests serve	11
A look to the future	14
Appendix:	
John Wingate Weeks	19
The Weeks law	19
Members of the National Forest Reservation Commission	24
Areas acquired by activity of the National Forest Reservation Commission	26

Issued September 1961

The National Forest Reservation Commission

FORESTRY EVOLVES IN THE UNITED STATES

During the Colonial period and the early decades of the Republic there were sporadic murmurs of concern over local wood shortages and promiscuous burning. These murmurs received attention, if any, at only the local level. In this young and aggressive Nation the few attempts to conceive a national forestry policy and program were overshadowed by the great hinterland of apparent abundance and were further fragmentized by negative attitudes among the several States.

Not until about 1870 did public opinion start to crystallize into something more than a nebulous, passive, or strictly local interest. A few leaders saw the need for action and for education. Of significance on the national scene was the requirement in the census of 1870 to include forests for the first time. The first popular form of education was sponsored in 1872 when Governor Morton of Nebraska initiated Arbor Day. In 1873, the American Association for the Advancement of Science petitioned State legislatures and the Congress for adequate forest protection laws. A national vehicle for expression of popular interest was introduced with the formation of the American Forestry Association in 1875.

The 1876 Act of Congress in authorizing a forestry agent in the Department of Agriculture placed education on a more organized basis nationwide. Dr. B. E. Fernow, an able forester from Germany, was intimately associated with this movement. By 1887, 7 States had named commissions to study and recommend forestry protection measures. By 1880, 19 States encouraged improved forestry practices through tax relief and tree-planting inducements. By 1895, 14 States had adopted some permanent forestry legislation. During this period there were two successful legislative campaigns to obtain Federal action in the forest resource field. The first, in 1891, authorized the establishment of forest reservations from the public domain, largely in the West. The second, in 1897, provided for the administration of these reserves. The eminent conservation leader Gifford Pinchot was the key personality and exerted profound influence on the national scene during this critical formulative period and thereafter.

In 1880, in western North Carolina and shortly thereafter in the White Mountain region of New Hampshire and in other areas, interest started to develop for the establishment of public forest reserves in the Eastern States. Again in North Carolina, Senator Jeter C. Pritchard introduced legislation in 1901 which would have made possible the establishment of an Appalachian National Forest Reserve in Alabama, Georgia, North Carolina, South Carolina, Tennessee, and Virginia. In 1903, bills which would apply to the White Mountains but otherwise similar to the one Senator Pritchard had introduced were presented in Congress by Senator Jacob Gallinger and Congressman Frank D. Currier, both of New Hampshire. In 1906, a so-called "Union bill" was presented by Senator Frank Brandegee of Connecticut. It would have made possible the establishment of forest reserves in both the Appalachians and the White Mountains. Interest became more widespread. Numerous other bills were presented in Congress during this decade for establishment of forest reserves in other Eastern and Southern States including Arkansas, Missouri, New York, Texas, and others.

This climax of interest and action by dynamic individuals and organizations resulted in congressional action. Even though these first proposals failed, they were the first in a moving sequence of measures culminating in the appearance of John W. Weeks on the national scene and his unremitting efforts toward a legislative goal in 1911. It may justly be said that the Weeks law was the fitting climax to the interest and activity of many individuals and organizations over a long period of time.

A PROPOSAL BECOMES A LAW

John W. Weeks, from the 12th Congressional District of Massachusetts, was first elected to the Congress in 1904 and was appointed to the House Committee on Agriculture in 1907. This particular Committee assignment afforded him the opportunity to apply his imagination and initiative toward progressive forestry legislation.

Congressman Weeks presented a bill, H.R. 11798, in the House on July 23, 1909. An identical bill, S. 4501, was introduced in the Senate by Senator Gallinger on December 20 of the same year. The House Committee on Agriculture reported Mr. Weeks' bill without amendment on April 15, 1910. On June 15, the Senate Committee on Forest Reserves and Game Protection reported S. 4501 with amendments. The House adopted and passed Mr. Weeks' bill with amendments on June 24, 1910. The following day, June 25, the Senate received the Weeks bill as passed by the House and agreed that it be substituted for S. 4501. It passed the bill on February 15, 1911, and President Taft signed it on March 1.

Thus a far-sighted conservation proposal which had first appeared in Western North Carolina in 1880 developed into Federal legislation of national application and lasting significance a generation later.

PRINCIPAL PROVISIONS OF THE LAW

The Weeks law was important conservation legislation because its principal provisions are of nationwide application and of permanent significance in safeguarding indispensable natural resources. The law established basic public policy in two respects. First it set a pattern for cooperation between States and also between the Federal Government and the States in protecting forest land from fire. Second, it put the Federal Government squarely in the business of buying forest land needed for specified public forestry purposes.

Action in these two areas of public policy was subject to certain conditions prescribed by the law. Cooperation in fire protection, and the purchase of land for national forests were limited to land on the headwaters of navigable streams. Cooperation in fire protection was further limited to States that provided a system of fire protection. Federal allotment of funds was not to exceed the amount appropriated by the cooperating States.

Other conditions applied to the purchase of land. A principal one was the designation of a commission, the National Forest Reservation Commission, ". . . to consider and pass upon such lands as may be recommended for purchase (by the Secretary of Agriculture) . . . and to fix the price or prices at which such lands may be purchased . . . ." The law further specified that land might not be acquired unless the State within which the land is located had given its consent. Other provisions included: doing whatever is necessary to obtain adequate title for acquired land; sharing of receipts from the sale of products with local government units; and a statement of policy that lands acquired under this Act shall be ". . . permanently reserved, held, and administered as National Forest lands . . . ."

Amendments of the Weeks law have likewise been important. The Clarke-McNary law of 1924, which is a significant piece of forest conservation legislation in its own right, amended the Weeks law in two important respects. These were to broaden its application to the entire watershed of navigable streams and to add timber production as one of the purposes for which lands would be acquired.

The program of cooperation with States in fire protection, which originated under the Weeks law, is now administered under the terms of the Clarke-McNary law. Purchase of land for national forest purposes is still in accordance with basic provisions of the Weeks law with some later amendments.

This report deals primarily with activities of the National Forest Reservation Commission in the acquisition of land for National For-

est purposes. Nevertheless, special mention should be made of the programs of cooperation with the States instituted by section 2 of the Weeks law. By its provision for financial assistance to the States in forest fire protection, the Weeks law established the principle of cooperation between the Federal and State Governments in conservation activities, a principle now being applied in many other conservation programs.

In forest fire cooperation, the number of States cooperating with the Federal Government under the terms of the Weeks law increased from 11 in 1912 to 29 in 1925 when the authority of the Clarke-McNary law became available. During the same period the area of State and private lands protected increased from 61 million acres to 178 million. State expenditures for fire control increased from $350,000 to $1,844,000 (rounded) during the same time. Since 1925, the number of States cooperating in forest fire protection has increased to 48.

Effectiveness of this intensified protection is indicated by "then and now" comparisons of fire statistics. In 1916, the earliest year for which data are available, the average forest fire burned an area of 200 acres. In 1959, the most recent statistical year, the corresponding figure was 22 acres. At present, 402 million acres of State and privately owned forest land are protected under this program. State expenditures for forest fire control now total $45 million.

BETTER FOREST PRACTICE—THE INTENT

One of the purposes stated in the title of the Weeks law is ". . . protection of the watersheds of navigable streams. . . ." This expressed purpose of the Weeks law is clear cut. However, the law's antecedents, the Congressional debates, and the testimony which preceded its passage indicate that the author and other conservation-minded proponents of public forest reservations were thinking of the broad range of benefits that could be associated with public ownership and management of forest land.

The debates also focused attention on the question of the constitutionality of Federal land acquired for forestry purposes. This issue was resolved to the apparent satisfaction of those who raised the question by the emphasis on navigation—a feature of interstate commerce. It seems probable that the intent of Congressman Weeks in deciding to sponsor legislation was to obtain a law that would authorize the Secretary of Agriculture to undertake broad conservation measures to protect and improve the Nation's forest resources. There is some support for this conclusion in the following quotation from a letter written by Congressman Weeks in 1912 to Gifford Pinchot who, until a short time earlier, had been chief of the United States Forest Service.

8—3073, 8—2715

Photos of the same area, made a few years apart, portray the effectiveness of intensive fire protection in reestablishing a forest on denuded land. Mississippi.

> My own judgment is that the policy which the Government has now undertaken, hedged around as it is with suitable precautions and provision for care will continue as long as the Government itself and that it will not only be a great advantage to the country along the lines covered by the purposes of the bill, that is, in promoting stream flow and protecting watersheds, but will continue the beauty of mountain regions which are visited by millions of people, which beauty, under other conditions, might be destroyed; and, in addition to all this, that it will prove to be a profitable venture for the Government, producing a revenue which will amply repay it for any expenditures made in the original purchase and which may be necessary to carry out the policy.

The Clarke-McNary law of June 7, 1924, amended the Weeks law to extend the Federal land purchase policy. It removed the previous limitation which made the act apply only to the headwaters of navigable streams and in addition authorized acquisition of land needed for the production of timber. Under the 1924 amendment, land may be purchased and National Forests may be established anywhere within the watersheds of navigable streams. With this broader expression of public interest, the National Forest Reservation Commission has approved establishment of purchase areas and National Forests in a great range of situations extending from coastal plains to mountain crests.

THE NATIONAL FOREST RESERVATION COMMISSION

Since its establishment in 1911, membership on the National Forest Reservation Commission has included 18 Secretaries of the Army (formerly War), 14 Secretaries of the Interior, 13 Secretaries of Agriculture, 13 Senators, and 13 Congressmen. Mr. Weeks, who sponsored this legislation while a member of Congress, later served as Secretary of War (1921–1925) and during that period was president of the Commission.

Present members of the Commission are:

Hon. Elvis J. Stahr, Jr., Secretary of the Army
Hon. Stewart L. Udall, Secretary of the Interior
Hon. Orville L. Freeman, Secretary of Agriculture
Hon. John C. Stennis, Senator from Mississippi
Hon. Francis Case, Senator from South Dakota
Hon. William M. Colmer, Congressman from Mississippi
Hon. Jack Westland, Congressman from Washington

At its first meeting, March 7, 1911, the Commission elected Secretary of War Henry L. Stimson as its presiding officer. The Secretary of War, now the Secretary of the Army, has served as president of

the Commission continuously since that first meeting. A member of the Forest Service serves as secretary of the Commission, a position presently occupied by Axel Lindh, Director of the Division of the Land Adjustments in that agency.

Activities of the National Forest Reservation Commission are not limited to the responsibilities imposed under the Weeks law. The Commission now has responsibilities in connection with approval of exchanges of land acquired under the Weeks law and similarly for some other land purchase programs under a number of special acts.

THE WEEKS LAW AND THE NATIONAL FORESTS

The initial step in applying the Weeks law authority to acquire land for National Forest purposes is establishment of a purchase unit. The boundaries of such a unit are delineated by the Forest Service through field studies, approved by the Secretary of Agriculture, and accepted by the National Forest Reservation Commission. When a unit is established primarily to benefit the flow of navigable streams, it is also necessary that there be an examination and report by the Director of the Geological Survey showing the relationship of land ownership in the area to the protection of navigability. With approval by the Commission, the area becomes a purchase unit within which land may be acquired. When sufficient land has been acquired within a purchase unit it is established as a new National Forest or as a part of one already in existence by proclamation of the President or the Secretary of Agriculture. Because it owes its origin to the Weeks law a National Forest established by this process is sometimes referred to as a Weeks law National Forest.

To date 64 purchase units have been designated. They are located in 32 States and the Commonwealth of Puerto Rico. Within these units about 23 million acres have been acquired by the Federal Government, mostly under the provisions of the Weeks law.

The Weeks law had been applied chiefly in the Eastern States. In the West, where a large acreage has been designated as National Forest through withdrawal of land from the Public Domain, the Weeks law has been used in a limited number of locations. There are only 10 purchase units in the area west of the Great Plains.

The activities of the National Forest Reservation Commission consequently have been largely concentrated in the 48 National Forests east of the Great Plains. These National Forests are located in northern New England, in a strung-out chain along the Appalachian Mountains from Pennsylvania to Georgia, through the rough portions of the Central States, on the Coastal Plain, around the Gulf Coast, in the Ozarks, and in States bordering the Great Lakes. They include extremes of latitude from Maine to Florida, and in altitude from sea level to the Appalachian Crest. Samples of all the botany, of the

211711

An example of some of the land acquired by the Federal Government under the provisions of the Weeks law. It had been heavily cut and severely damaged by repeated burning. Pennsylvania.

458851

Planting trees on severely eroded land. Mississippi.

zoology, of nearly all the geologic formations characteristic of the Eastern United States are found within them. Similarly, they include a wide range of weather conditions from the Arctic-like winters experienced on Mt. Washington to the tropical climate of the Caribbean.

Lands within the eastern National Forests were at the time of acquisition mostly suited to the production of timber and other forest values but were in poor condition because of excessive timber cutting, fire damage, and erosion. Twenty percent of the land had been denuded or cleared and required reforestation, 25 percent bore some mature timber together with young growth, 2 percent was unproductive for timber growing, and 53 percent bore seedlings, saplings, or poles but no merchantable timber.

These eastern National Forests like their counterparts in the West are being managed under multiple-use principles for conservation and betterment of watersheds, for production of continuous crops of timber, and for development and use of all the resources. Productivity has been largely restored through intensive care and protection. During 1960 over 1.3 billion board feet of timber, worth $22.4 million, was cut from these Weeks law National Forests. They contribute substantial quantities of water for community and industrial uses, for

448806

Adequately protected, well-managed forests yield a continuous supply of raw material. Manufacture of forest products creates much gainful employment. Maine.

power, for recreation, and for navigation. They are extensively used for outdoor recreation. Nearly 25 million visits were made to them in 1960 for picnicking, camping, hunting, fishing, winter sports, and other recreational purposes.

Financially the Weeks law National Forests represent an initial investment for land of $94 million. About $163 million has been expended upon them for tree planting, timber culture, recreation and other physical improvements, and other features of rehabilitation and development. Substantial improvement and greatly increased value have resulted from this investment and the intensive care and protection given these lands since they were added to the National Forest system. Land which once was denuded and practically nonproductive is now producing wildlife and timber. It is good watershed land and is highly sought after for outdoor recreation. As a result, the present-day appraised value of these public estates is in excess of $1 billion.

UNUSUAL FEATURES ARE FOUND ON THE WEEKS LAW NATIONAL FORESTS

Because of their wide distribution in the eastern half of the United States, the Weeks law National Forests contain a large number of features of particular interest. Space does not permit listing all of them, but a partial list of the most outstanding features follows:

The Pisgah National Forest in North Carolina includes much of the land formerly in the Biltmore Estate where the first scientific forestry was practiced in America. *The Nantahala National Forest* in the same State is the site of the Coweeta Hydrologic Laboratory, where forest scientists are finding practical answers to problems in the relationship between trees, soil, and water of great importance to engineers, foresters, and water department people.

The White Mountain National Forest in New Hampshire includes the world-renowned Presidential Range, one of the very scenic areas in the Nation and an area intensively used for recreation. It is near the birthplace and boyhood home of Congressman Weeks.

The Superior National Forest in Minnesota includes a million acres of land and water designated as the Boundary Waters Canoe Area and managed predominantly to protect and preserve primitive conditions along lake shores and streams for public recreational use and enjoyment.

The Clark National Forest in Missouri is the site of an unusual type of outdoor recreation—the float trip in a flat-bottomed boat—on the Current and Eleven Point Rivers.

The Osceola National Forest and *The Ocala National Forest* in Florida are traversed by the Old Spanish Trail. Sections of the trail are still in evidence.

The Cherokee National Forest in Tennessee provides a unique sport in America, wild boar hunting. The animals are descended from European stock imported by sportsmen many decades ago.

The Hoosier National Forest in Indiana includes the Pioneer Mothers' Natural Area dedicated to the pioneer women of the region. It consists of a 200-acre tract of virgin hardwood forest.

The Francis Marion National Forest in South Carolina is named after the Revolutionary War general who waged his own brand of guerilla warfare against British troops from the depths of the forest. Swampfox Ranger Station bears his nickname.

The Allegheny National Forest in Pennsylvania contains the last large tract of virgin hemlock and hardwood in the United States, the 4,080-acre Tionesta Natural and Scenic Area.

The Nicolet National Forest in Wisconsin includes some of the territory which was severely damaged by the great Peshtigo forest fire of 1871. A portion known as the "Moquach Barrens" was treeless stump land when acquired some 30 years ago. Since planted with trees, its green expanses present a striking contrast with its former condition.

THE NATIONAL FORESTS SERVE

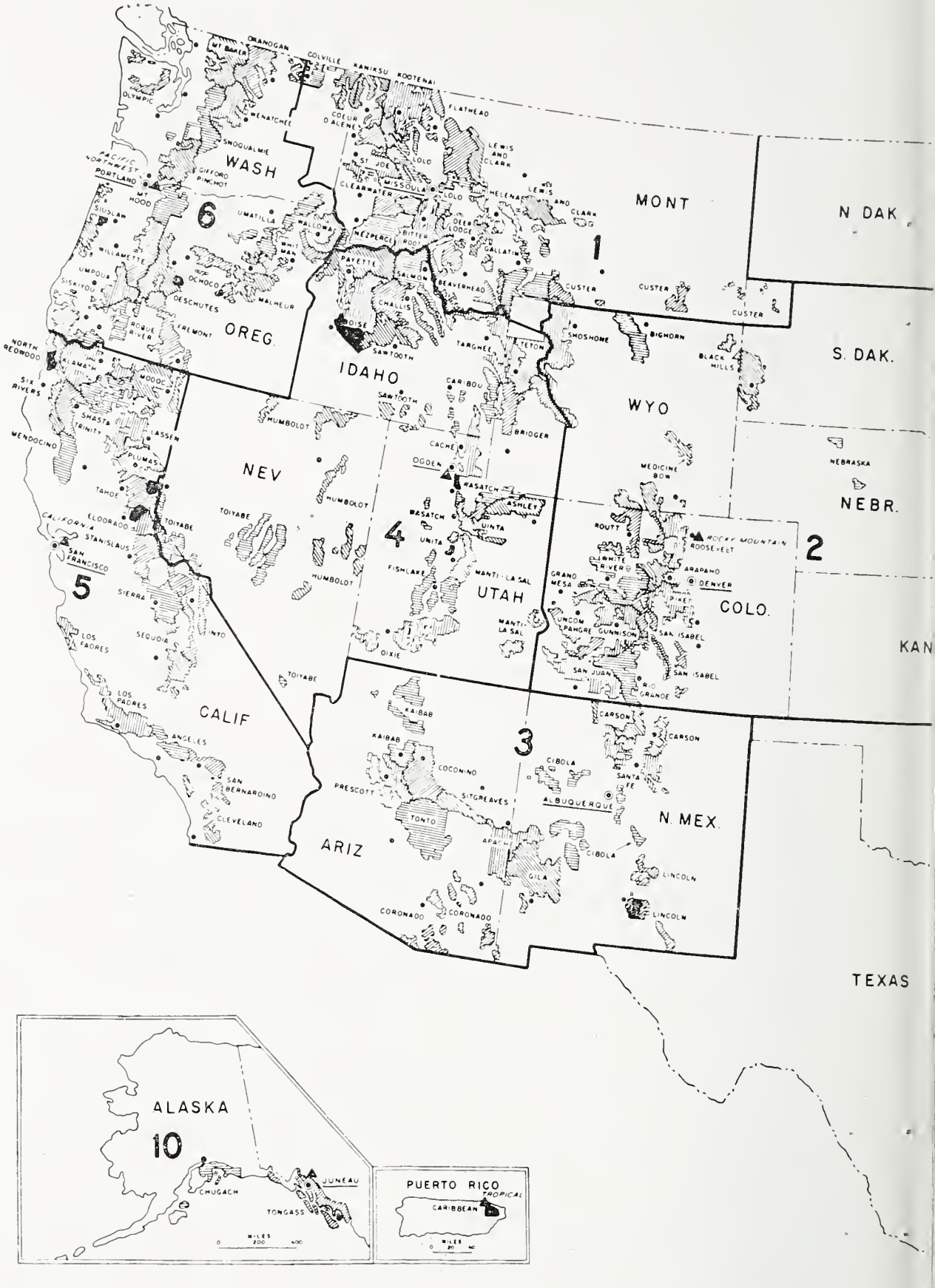
Activities of the National Forest Reservation Commission have added a substantial area—more than 20 million acres—to the National Forest system of the United States. A great deal has been accomplished in rehabilitating these lands so that they will produce a maximum of values and benefits for their owners, the people of the United States. Records of the Forest Service show that:

Artificial regeneration—planting and seeding of trees—has been accomplished on 2.2 million acres that were denuded.

Timber stand improvement measures designed to improve composition and growing condition of the forest stands have been applied on 700,000 acres.

To facilitate protection and development of these properties and to make them more readily accessible to the public, the Forest Service has built 18,000 miles of forest roads and currently maintains 22,000 miles.

Recreation facilities including campsites, picnic grounds, winter sports improvements, and swimming areas have been developed in sufficient number to accommodate literally millions of people. They were, in fact, the scene of nearly 25 million visits in 1960.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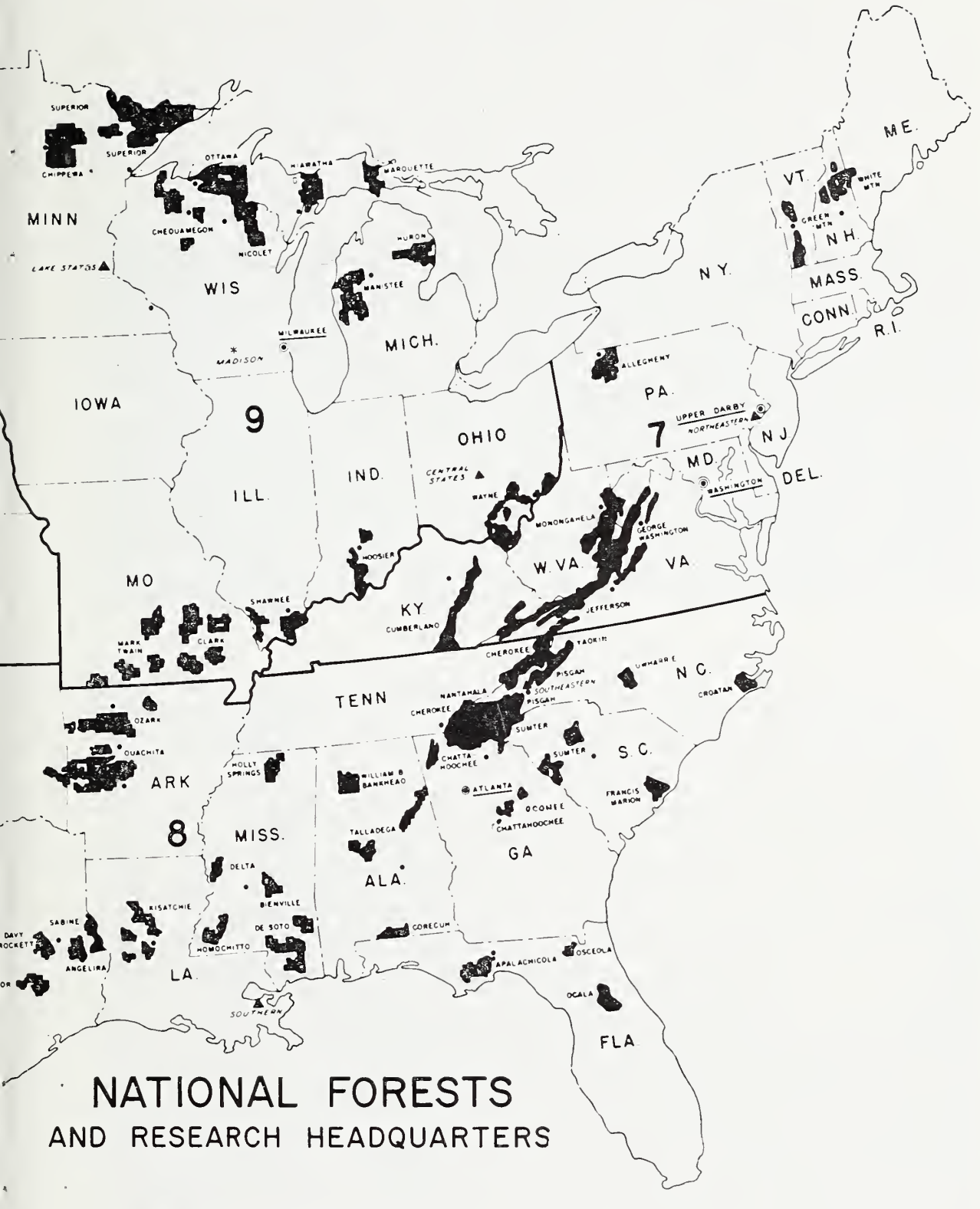

NATIONAL FORESTS
AND RESEARCH HEADQUARTERS

MILES
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■ WEEKS LAW UNITS

▨ OTHER NATIONAL FORESTS AND PURCHASE UNITS
4 — REGIONAL BOUNDARIES AND NUMBERS
⊙ REGIONAL HEADQUARTERS
• SUPERVISOR'S HEADQUARTERS
▲ FOREST AND RANGE EXPERIMENT STATIONS
✲ LABORATORY (MADISON, WIS.)

The National Forests serve as research and demonstration areas in the practice of all phases of forest management in all the timber types in the United States.

Accomplishment of National Forest programs requires the employment of large numbers of local people and contributes importantly to rural development.

The carefully protected slopes of these National Forests are the sources of domestic water for many eastern communities, of water for hydroelectric power, and for rapidly expanding recreation use.

Habitat improvement measures applied to thousands of acres of these forests have materially improved hunting and fishing conditions.

Forest fires, insect epidemics, and tree diseases that formerly were uncontrolled are now curbed effectively.

Intensive protection coupled with tree planting and improvement measures have already increased timber production. Last year more than 1.3 billion board feet of timber were harvested, under the supervision of trained foresters, from the Weeks law National Forests. The harvest, manufacture, marketing, and transportation of that volume of timber produced more than 75,000 man-years of employment and the equivalent amount of family and community support.

A LOOK TO THE FUTURE

The Weeks law National Forests represent a major effort by the Federal Government to restore, develop, and protect forest lands in the East. They are managed for the coordinated production of timber, forage, minerals, and other commodities, the perpetuation of scenic qualities, and the use of the forest environment for outdoor recreation. Brought into being for the basic purposes of watershed protection and production of timber to meet national needs, these National Forests also are serving public interests in other ways. Extensive forested areas, attractive streams and lakes, abundant wildlife, many and varied scenic attractions, and accessibility to large numbers of people make them ideal public recreation areas. In the future, they will be called upon to meet increasing needs for water and forest products and for green spaces wherein people may hunt, fish, picnic, hike, ski, and enjoy the beauty and quiet of the forest. The demands upon them will grow not only in proportion to the increase in the national population, but also in proportion to constantly improving standards of living and greater mobility and prosperity of the American public.

Recently, in anticipation of the increasing need for forest products and services, the Forest Service prepared a development program for all the National Forests. This program contemplates an expenditure

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Trees planted by man and carefully protected against fire restore productivity to land which had been denuded.

of nearly $1.7 billion in the next 10 to 16 years for such development activities as reforestation, timber culture, construction of facilities for recreation, building of access roads, intensified protection, research, and other items. Nearly 20 percent of the program is planned for the Weeks law National Forests.

A consistent development program for these National Forests is essential if they are to be ready by the year 2000 to meet the resource needs that will probably be placed upon them. Studies recently completed by the Forest Service show that the annual harvest of timber from all the National Forests must be more than doubled. In the same period, recreation resources must be expanded to serve a sixfold increase in use. Fishing use will increase steadily, as will hunting use. The eastern National Forests will probably have to carry more than 20 percent of this resource burden.

In many National Forests, the pattern of landownership is irregular. Within the boundaries of the Weeks law National Forests as they now exist, there are about 17 million acres of forest land in non-Federal ownership. Parts of this acreage that are fully suitable for National Forest purposes should, in due course, be added to the existing National Forests.

Of most immediate importance is the acquisition of in-holdings needed to carry out some specific National Forest programs such as

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Timber harvesting operations are largely mechanized but horses are still important in the small woodlots of the Northeast. New Hampshire.

recreation development or watershed protection. These are key tracts. Many situations are such that only a program of public land purchase will solve critical problems. Public access to lakes, streams, and public hunting grounds is an example. So is the need to purchase and restore lands that are the source of damage to watershed areas, and the need under some urgent circumstances for public control of recreation areas.

Of concern also is the need to have some attention given to inholdings within existing National Forests that are in need of rehabilitation, that could be productive forest or watershed lands, and for which there is little prospect that the required capital and managerial skills will otherwise be invested. Incorporation of such lands into the National Forests will promote better resource conservation and provide substantial public-use areas.

Consolidation of the Weeks law National Forests into effective administrative and land-conservation entities is important. But even more important in this look to the future is the more rapid development of these National Forests so that they will yield the highest aggregate benefits in commodities and services to the people of the United States.

APPENDIX

John Wingate Weeks

The author and sponsor of the Weeks law was a member of a well established New England family which distinguished itself in business, in the professions, and in public service.

John Wingate Weeks was born on a farm near Lancaster, N.H., on April 11, 1860. He attended a district school nearby, entered the U.S. Naval Academy in 1877 and, after graduation in 1881, spent 2 years in the Navy, then worked as a civil engineer in Florida for a time.

Mr. Weeks married Martha Sinclair in Haverhill, Mass., in 1885; established a home in Newton, Mass., and organized the investment firm of Hornblower and Weeks in Boston in 1888. He entered politics in Newton and after serving as an alderman several years was elected Mayor in 1901.

Elected to the United States House of Representatives from the 12th Congressional District of Massachusetts, November 8, 1904, Mr. Weeks was appointed almost at once to the Committees on Banking and Currency and on Expenditures in the State Department; and to the Committee on Agriculture in 1907. Elected to the Senate in 1912, he was a member of that body until 1918.

Appointed Secretary of War by President Harding, March 4, 1921, Mr. Weeks continued in that position under President Coolidge until October 13, 1925, when he resigned because of failing health. He died in Lancaster, N.H., July 12, 1926, and is buried in Arlington National Cemetery.

The Weeks Law

ACT OF MARCH 1, 1911
(36 Stat. 961)

AN ACT To enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress of the United States is hereby given to each of the

several States of the Union to enter into any agreement or compact, not in conflict with any law of the United States, with any other State or States for the purpose of conserving the forests and the water supply of the State entering into such agreement or compact.

Sec. 2. That the sum of two hundred thousand dollars is hereby appropriated and made available until expended, out of any moneys in the National Treasury not otherwise appropriated, to enable the Secretary of Agriculture to cooperate with any State or group of States, when requested to do so, in the protection from fire of the forested watersheds of navigable streams; and the Secretary of Agriculture is hereby authorized, and on such conditions as he deems wise, to stipulate and agree with any State or group of States to cooperate in the organization and maintenance of a system of fire protection on any private or State forest lands within such State or States and situated upon the watershed of a navigable river: *Provided*, That no such stipulation or agreement shall be made with any State which has not provided by law for a system of forest-fire protection: *Provided further*, That in no case shall the amount expended in any State exceed in any fiscal year the amount appropriated by that State for the same purpose during the same fiscal year.

Sec. 3. That there is hereby appropriated, for the fiscal year ending June thirtieth, nineteen hundred and ten, the sum of one million dollars, and for each fiscal year thereafter a sum not to exceed two million dollars for use in the examination, survey, and acquirement of lands located on the headwaters of navigable streams or those which are being or which may be developed for navigable purposes: *Provided*, That the provisions of this section shall expire by limitation on the thirtieth day of June, nineteen hundred and fifteen.

Sec. 4. That a commission, to be known as the National Forest Reservation Commission, consisting of the Secretary of War, the Secretary of the Interior, the Secretary of Agriculture, and two members of the Senate, to be selected by the President of the Senate, and two members of the House of Representatives, to be selected by the Speaker, is hereby created and authorized to consider and pass upon such lands as may be recommended for purchase as provided in section six of this Act, and to fix the price or prices at which such lands may be purchased, and no purchases shall be made of any lands until such lands have been duly approved for purchase by said commission: *Provided*, That the members of the commission herein created shall serve as such only during their incumbency in their respective official position, and any vacancy on the commission shall be filled in the manner as the original appointment.

Sec. 5. That the commission hereby appointed shall, through its president, annually report to Congress, not later than the first Mon-

day in December, the operations and expenditures of the commission in detail during the preceding fiscal year.

Sec. 6. That the Secretary of Agriculture is hereby authorized and directed to examine, locate, and recommend for purchase such lands as in his judgment may be necessary to the regulation of the flow of navigable streams, and to report to the National Forest Reservation Commission the results of such examinations: *Provided*, That before any lands are purchased by the National Forest Reservation Commission said lands shall be examined by the Geological Survey and a report made to the Secretary of Agriculture, showing that the control of such lands will promote or protect the navigation of streams on whose watersheds they lie.

Sec. 7. That the Secretary of Agriculture is hereby authorized to purchase, in the name of the United States, such lands as have been approved for purchase by the National Forest Reservation Commission at the price or prices fixed by said commission: *Provided*, That no deed or other instrument of conveyance shall be accepted or approved by the Secretary of Agriculture under this Act until the legislature of the State in which the land lies shall have consented to the acquisition of such land by the United States for the purpose of preserving the navigability of navigable streams.

Sec. 8. That the Secretary of Agriculture may do all things necessary to secure the safe title in the United States to the lands to be acquired under this Act, but no payment shall be made for any such lands until the title shall be satisfactory to the Attorney General and shall be vested in the United States.

Sec. 9. That such acquisition may in any case be conditioned upon the exception and reservation to the owner from whom title passes to the United States of the minerals and of the merchantable timber, or either or any part of them, within or upon such lands at the date of the conveyance, but in every case such exception and reservation and the time within which such timber shall be removed and the rules and regulations under which the cutting and removal of such timber and the mining and removal of such minerals shall be done shall be expressed in the written instrument of conveyance, and thereafter the mining, cutting, and removal of the minerals and timber so excepted and reserved shall be done only under and in obedience to the rules and regulations so expressed.

Sec. 10. That inasmuch as small areas of land chiefly valuable for agriculture may of necessity or by inadvertence be included in tracts acquired under this Act, the Secretary of Agriculture may, in his discretion, and he is hereby authorized, upon application or otherwise, to examine and ascertain the location and extent of such areas as in his opinion may be occupied for agricultural purposes without injury to the forest or to stream flow and which are not needed for public

purposes, and may list and describe the same by metes and bounds, or otherwise, and offer them for sale as homesteads at their true value, to be fixed by him, to actual settlers, in tracts not exceeding eighty acres in area, under such joint rules and regulations as the Secretary of Agriculture and the Secretary of the Interior may prescribe; and in case of such sale the jurisdiction over the lands sold shall, ipso facto, revert to the State in which the lands sold lie. And no right, title, interest, or claim in or to any lands acquired under this Act, or the waters thereon or the products, resources, or use thereof after such lands shall have been so acquired, shall be initiated or perfected, except as in this section provided.

Sec. 11. That, subject to the provisions of the last preceding section, the lands acquired under this Act shall be permanently reserved, held, and administered as national forest lands under the provisions of section twenty-four of the Act approved March third, eighteen hundred and ninety-one (volume twenty-six Statutes at Large, page eleven hundred and three), and Acts supplemental to and amendatory thereof. And the Secretary of Agriculture may from time to time divide the lands acquired under this Act into such specific national forests and so designate the same as he may deem best for administrative purposes.

Sec. 12. That the jurisdiction, both civil and criminal, over persons upon the lands acquired under this Act shall not be affected or changed by their permanent reservation and administration as national forest lands, except so far as the punishment of offenses against the United States is concerned, the intent and meaning of this section being that the State wherein such land is situated shall not, by reason of such reservation and administration, lose its jurisdiction nor the inhabitants thereof their rights and privileges as citizens or be absolved from their duties as citizens of the State.

Sec. 13. That five per centum of all moneys received during any fiscal year from each national forest into which the lands acquired under this Act may from time to time be divided shall be paid, at the end of such year, by the Secretary of the Treasury to the State in which such national forest is situated, to be expended as the State legislature may prescribe for the benefit of the public schools and public roads of the county or counties in which such national forest is situated: *Provided*, That when any national forest is in more than one State or county the distributive share to each from the proceeds of such forest shall be proportional to its area therein: *Provided further*, That there shall not be paid to any State for any county an amount equal to more than forty per centum of the total income of such county from all other sources.

Sec. 14. That a sum sufficient to pay the necessary expenses of the commission and its members, not to exceed an annual expenditure of

twenty-five thousand dollars, is hereby appropriated out of any money in the Treasury not otherwise appropriated. Said appropriation shall be immediately available, and shall be paid out on the audit and order of the president of the said commission, which audit and order shall be conclusive and binding upon all departments as to the correctness of the accounts of said commission.

Approved, March 1, 1911.

Members of the National Forest Reservation Commission

Fiseal year	Cabinet Members			Senators		Representatives	
	Seeretary of War	Seeretary of Interior	Seeretary of Agrieulture				
1911	Henry L. Stimson	Walter L. Fisher	James Wilson	John Walter Smith	Jacob H. Gallinger	Gordon Lee	Willis C. Hawley.
1912	do	do	do	do	do	do	Do.
1913	Lindley M. Garrison	Franklin K. Lane	David F. Houston	do	do	do	Do.
1914	do	do	do	do	do	do	Do.
1915	do	do	do	do	do	do	Do.
1916	Newton D. Baker	do	do	do	do	do	Do.
1917	do	do	do	do	do	do	Do.
1918	do	do	do	do	Peter J. Gerry	do	Do.
1919	do	do	do	do	do	do	Do.
1920	do	John B. Payne	E. T. Meredith	do	do	do	Do.
1921	John W. Weeks	Albert B. Fall	Henry C. Wallaee	John K. Shields	Henry W. Keyes	do	Do.
1922	do	do	do	do	do	do	Do.
1923	do	Hubert Work	do	do	do	do	Do.
1924	do	do	do	do	do	do	Do.
1925	Dwight F. Davis	do	William M. Jardine	Lee S. Overman	do	do	Do.
1926	do	do	do	do	do	do	Do.
1927	do	do	do	do	do	Sam D. McReynolds	Do.
1928	do	Roy O. West	do	do	do	do	Do.
1929	James W. Good	Ray L. Wilbur	Arthur M. Hyde	Wm. J. Harris	do	James B. Aswell	Do.
1930	Patriek J. Hurley	do	do	do	do	do	Do.
1931	do	do	do	do	do	Wall Doxey	Do.
1932	do	do	do	Walter F. George	do	do	Do.
1933	George H. Dern	Harold L. Iekes	Henry A. Wallaee	do	do	do	John D. Clark.
1934	do	do	do	do	do	do	Roy O. Woodruff.
1935	do	do	do	do	do	do	Do.
1936	do	do	do	do	do	do	Do.
1937	Harry H. Woodring	do	do	do	Styles Bridges	do	Do.
1938	do	do	do	do	do	do	Do.
1939	do	do	do	do	do	do	Do.

1940	Henry L. Stimson	do	Claude R. Wickard	do	do	do	Do.
1941	do	do	do	do	do	do	Do.
1942	do	do	do	do	do	William M. Colmer	Do.
1943	do	do	do	do	do	do	Do.
1944	do	do	do	do	do	do	Do.
1945	Robert P. Patterson	do	Clinton P. Anderson	do	do	do	Do.
1946	do	Julius A. Krug	do	do	do	do	Do.
1947	do	do	do	do	do	do	Do.
1948	Kenneth C. Royal	do	Charles F. Brannan	do	do	do	Do.
1949	Gordon Gray	do	do	do	do	do	Do.
1950	Frank Pace, Jr	Oscar L. Chapman	do	do	do	do	Do.
1951	do	do	do	do	do	do	Wesley A. D'Ewart.
1952	do	do	do	do	do	do	Do.
1953	Robert T. Stevens	Douglas McKay	Ezra Taft Benson	John C. Stennis	do	do	Do.
1954	do	do	do	do	do	do	Do.
1955	do	do	do	do	do	do	Sam Coon.
1956	Wilbur M. Brueker	Fred A. Seaton	do	do	do	do	Do.
1957	do	do	do	do	do	do	Hamer H. Budge.
1958	do	do	do	do	do	do	Do.
1959	do	do	do	do	Francis Case	do	Do.
1960	do	do	do	do	do	do	Do.
1961	Elvis J. Stahr, Jr	Steward L. Udall	Orville L. Freeman	do	do	do	Jaek Westland.

Seeretaries of the Commission:
W. R. Pudigo, 1912–1916.
W. L. Brady, 1917–1919.
W. W. Ashe, 1920–1927.
John E. Bureh, 1928–1943.
Fred W. Grover, 1944–1957.
Paul Swarthout, 1958–1959.
Axel Lindh, 1960–

Areas Acquired by Activity of the National Forest Reservation Commission

TABLE 1.—*Gross acreage approved for purchase under the Weeks law by fiscal years*

Year	Acres	Average price	Year	Acres	Average price	Year	Acres	Average price
1912	287,698	$5.65	1929	464,177	$3.85	1946		
1913	425,717	4.71	1930	538,048	2.73	1947	371,671	$5.76
1914	391,114	4.96	1931	547,945	3.55	1948	96,250	6.91
1915	282,900	5.72	1932	83,086	2.48	1949	53,784	7.95
1916	54,898	5.76	1933	667,314	1.83	1950	51,569	7.39
1917	175,463	4.86	1934	4,206,817	2.38	1951	17,070	8.62
1918	185,199	5.12	1935	3,661,848	4.09	1952	6,154	8.65
1919	103,355	6.35	1936	2,891,040	3.99	1953	7,242	8.81
1920	101,428	4.44	1937	410,218	5.06	1954	6,837	10.54
1921	112,397	4.44	1938	786,969	3.40	1955	16,672	7.16
1922	242,169	3.41	1939	506,039	4.34	1956	19,866	9.38
1923	79,923	4.35	1940	544,989	4.00	1957	7,342	12.69
1924	130,290	3.26	1941	164,020	4.31	1958	7,169	14.03
1925	247,067	4.80	1942	205,811	4.59	1959	6,012	15.14
1926	191,725	3.85	1943	8,759	4.31	1960	5,669	13.95
1927	135,088	5.37	1944	9	66.02			
1928	261,107	7.65	1945	5	194.00			

Total area approved ..... acres 19,767,939

TABLE 1A.—*Gross acreage approved for purchase under the Forest Receipts Acts and other special acts*

Year	Acres	Average price	Year	Acres	Average price	Year	Acres	Average price
1937	15,419	$3.15	1945			1953	727	$48.81
1938	13,144	3.09	1946			1954	924	39.71
1939	28,099	2.76	1947	8,800	$5.75	1955	1,993	36.53
1940	8,088	2.64	1948	7,240	10.21	1956	1,510	123.16
1941	31,798	3.11	1949	6,935	5.27	1957	10,177	31.72
1942	37,711	4.17	1950	9,509	15.87	1958	3,294	188.41
1943			1951	8,247	14.27	1959	2,704	49.08
1944			1952	4,027	13.13	1960	2,176	15.93

Total area approved ..... acres 202,522

TABLE 2.—*Summary to June 30, 1960, of the exchanges of purchased lands and stumpage for State or privately owned lands under the act of Mar. 3, 1925, as supplemented*

Location by State	Net exchanges approved			Net exchanges consummated		
	Offered to United States	To be granted by United States		Conveyed to United States	Granted by United States	
	Acres	Acres	Stumpage in thousand feet board measure	Acres	Acres	Stumpage in thousand feet board measure
Alabama	4,854.44	625.71	1,687	4,592.99	426.10	1,687
Arkansas	15,041.92	651.93	5,538	14,986.16	571.86	5,538
California	4,678.57	254.71	7,203	4,091.00	155.00	7,203
Florida	14,429.37	3,344.28	3,598	13,646.28	2,821.86	3,598
Georgia	14,665.22	802.42	8,320	14,609.00	780.92	8,320
Idaho	721.00	679.29		420.00	359.29	
Illinois	5,002.30	1,420.20	1,998	3,814.45	513.66	1,996
Indiana	2,785.99	1,558.59		1,570.94	553.54	
Kentucky	1,308.30	369.54	167	1,278.00	370.50	167
Louisiana	8,583.68	20.07	6,143	8,583.68	20.07	6,143
Maine	16.40	2.50		16.40	2.50	
Michigan	515,895.04	281,768.73	46,969	501,925.81	281,382.79	30,473
Minnesota	112,160.19	67,549.26	22,648	99,762.57	56,947.73	20,223
Mississippi	47,427.81	905.71	25,902	47,407.02	886.96	25,902
Missouri	46,620.26	13,717.28	23,252	37,628.46	5,846.97	19,317
North Carolina	53,972.40	1,109.97	36,669	53,972.40	1,109.97	36,669
Ohio	3,447.04	1,126.59		2,610.97	724.60	
Oklahoma	9,597.84		4,978	6,577.31		2,838
Oregon	6,614.07	1,973.14	5,742	5,944.86	1,813.80	5,742
Pennsylvania	870.00	64.42		797.00	9.16	
Puerto Rico	1,557.50	1,979.45				
South Carolina	24,536.58	307.34	8,277	24,536.58	307.34	8,277
Tennessee	13,737.30	30.40	10,334	13,737.30	30.40	10,334
Texas	2,751.62	73.30	1,661	2,751.62	73.30	1,661
Utah	320.00	160.00		320.00	160.00	
Vermont	3,919.10	109.34	1,974	3,781.00	55.93	1,974
Virginia	2,771.63	337.66	299	2,708.83	319.66	299
Washington	366.22	681.88		366.22	681.88	
West Virginia	701.65	946.20		647.44	897.54	
Wisconsin	76,621.39	6,891.00	20,008	74,437.05	6,839.35	17,908
Total	995,974.83	389,460.91	243,367	947,521.34	364,662.68	216,269

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